IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 688 OF 1982

PARKE DAVUS (INDIA) LTD. .... Plaintiff
V/S
THE BOARD OF TRUSTEES OF THE
PORT OF BOMBAY ... Defendant

Mr. Vishal Shah i/b.
CRAWFORD BAYLEY AND CO. for plaintiff
Mr. U. J. Makhija i/b.
MULLA AND MULLA AND CRAIGIE
BLUNT AND CAROE for defendant

CORAM: **D.G. KARNIK J**.

DATE: March , 12, 2007

P.C.:

1. Heard counsel for the parties.
2. Despite opportunity given to the plaintiff on 26th February 2007 and 5th March 2007 the Plaintiff has failed to adduce any evidence in the matter and keep the witness present.
3. In the circumstances the suit of the plaintiff is dismissed under Order 9 Rule 8 read with Order 17 Rule 2 of the Code of Civil Procedure.

(D.G. KARNIK J.)